



Municipal Compliance Fact Sheet

Stormwater

What You Should Know About this Issue:

As a senior municipal official, you should be aware that municipal storm drain systems are a major source of pollutants to waters of the Commonwealth. Federal and state laws and regulations require municipalities with storm drain systems to manage and control stormwater discharges. Pollutants enter the storm drain system from illicit connections, construction sites, and commercial and municipal facilities (such as parking lots, road salt storage areas, fleet and DPW yards).

Examples of Municipal Facilities & Activities Involved:

Over 200 Massachusetts towns discharge stormwater under U.S. EPA's NPDES Municipal Separate Storm Sewer Systems permit (the MS4 Permit). This 5-year permit, jointly issued by EPA and MassDEP, requires towns to meet six minimum control measures (EPA has extensive guidance on how towns can comply with this permit). Visit:

<http://cfpub.epa.gov/npdes/stormwater/swfinal.cfm>. Towns report their progress by sending in Annual Reports each May 1 to EPA and MassDEP. The six minimum control measures are:

1. Pollution Prevention/Good Housekeeping for Municipal Operations - This measure addresses runoff from municipal operations such as DPW yards, salt storage areas, vehicle maintenance yards, road construction, and includes what practices towns should undertake to operate the stormwater system effectively. Towns must:

- Develop an operations and maintenance plan for their stormwater system.
- Train employees on how to incorporate pollution prevention and good housekeeping practices into their activities (e.g., vehicle and building maintenance, salt piles, and catch basin cleaning).

2. Must have an Illicit Discharge Detection and Elimination (IDDE) Program - Illicit discharges are non-stormwater discharges to the storm drain system. Because illicit discharges typically contain bacteria and other pollutants, the MS4 Permit requires towns to develop and implement an IDDE program that includes these elements:

- A legally enforceable mechanism prohibiting illicit discharges.
- A storm sewer map identifying the location of all storm drain outfalls.
- A plan to detect and eliminate illicit discharges.

3. Construction Site Runoff Control - The federal Construction General Permit already requires owners/operators to file a Notice Of Intent for construction activity disturbing more than one acre of land. Towns may wish to adopt stricter local rules. Minimum requirements include adoption of:

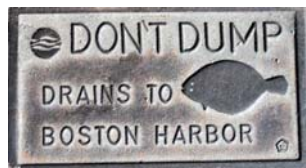
- Legally enforceable mechanism to control erosion during construction
- Procedures for municipal site plan review of construction projects

4. Post Construction Runoff Control - This measure requires ongoing stormwater management after construction is completed. Requirements include:

- Adopt a legally enforceable mechanism to control stormwater after construction
- Establish procedures for long-term operation and maintenance of BMPs

5. Public Education and Outreach - Towns are encouraged to form partnerships to distribute educational materials to diverse local audiences within the community as part of a formal public education program.

6. Public Participation and Involvement - EPA suggests that communities give the public the opportunity to play an active role in developing and implementing the MS4 program. Towns must comply with applicable public notice requirements and determine the program's implementation goals and strategies.



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Common Compliance Issues:

Although EPA and MassDEP adopted the MS4 Permit in 2003, some towns still have not yet adopted legally enforceable mechanisms to control construction site runoff, prohibit illicit discharges, or control post-construction stormwater. Before the Permit is renewed in 2008, all municipalities should examine their existing ordinances, bylaws and regulations, determine whether additional actions are needed to comply with the MS4 Permit, and if so, implement them.

Other stormwater permits and requirements include the federal Multi-Sector General Permit and the Massachusetts Stormwater Standards, which apply in wetlands jurisdictional areas.

Environmental Stewardship Tips:

Cities and towns are responsible for the quality of the discharges that enter our inland and coastal waters from their municipal storm drain system. To ensure that discharges from storm drain systems do not cause or contribute to violations of the state water quality standards, cities and towns must fulfill all MS4 obligations, including full implementation of an IDDE Program and Good Housekeeping Practices at municipal facilities.

To optimize the limited capacities of storm drain systems, municipalities should encourage environmentally sensitive site design that reduces impervious surfaces, minimizes stormwater runoff, and manages stormwater in a manner that mimics natural conditions. When planning for future growth, municipalities should analyze stormwater, wastewater, and water supply issues conjunctively.

Technical Assistance, Outreach, Grants & Loans:

The Clean Water State Revolving Fund (CWSRF) program provides state-subsidized 2% interest loans to municipalities for terms up to 30 years. These loans are available for planning and the construction of stormwater infrastructure. Each year, MassDEP selects projects for funding through a competitive procurement process. MassDEP expects to finance more than \$300 million in CWSRF projects in 2008. For information on the State Revolving Fund, visit: www.mass.gov/dep/water/wastewater/wastewat.htm

Contacts at MassDEP for More Information:

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For more information on stormwater or other topics, visit the MassDEP website at www.mass.gov/dep, or contact your nearest regional office listed on the website.

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